

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOUGLAS P. BROWN, Plaintiff :  
 :  
VS. : NO.04-177 ERIE  
 :  
EDMOND CHEVROLET, INC., SHULTS :  
SALES AND LEASING, INC., EDMOND :  
R. SHULTS, JR., TIM M. SHULTS, :  
Defendants :

DEFENDANTS' INTERROGATORIES  
DIRECTED TO PLAINTIFF

AND NOW come the Defendants, GEORGE T. TURNER, ET UX, by their counsel, ANDREW J. CONNER of CONNER RILEY & FRYLING, 17 West Tenth Street, P.O. Box 860, Erie, Pennsylvania 16512-0860, and submit the following Interrogatories to the Plaintiff, DOUGLAS P. BROWN, to be answered separately and fully in writing under oath within thirty (30) days after the service thereof, pursuant to Rule 30 of the Federal Rules of Civil Procedure. These Interrogatories are deemed to be continuing in nature so as to require supplemental Answers if the Plaintiff, or anyone on his behalf, obtains further information between the time the Answers are filed and served and the time of trial.

1) Please state the names and addresses of all witnesses known to the Plaintiff, his representatives or legal counsel, who know of any facts and circumstances supporting the allegations set forth in the Complaint initiating the within action.

ANSWER:



2) Please state the names and addresses of all witnesses known to the Plaintiff, his representatives or legal counsel, who know of any facts and circumstances which refute or contradict the allegations in Plaintiffs' Complaint.

ANSWER:

3) Please state the names and addresses of all witnesses known to the Plaintiff, his attorney and representatives, knowing of any facts and circumstances which refute or contradict the allegations in Defendants' Answer and Affirmative Defenses.

ANSWER:

4) Please state whether the Plaintiff, at any time prior to initiating the within action, was a party Plaintiff or Defendant in any other civil action. If the answer is "yes", please state the following:

(a) The caption and court of that civil action;

ANSWER:

- (b) The identity of the law firm and legal counsel representing the Plaintiff in any prior civil action.

ANSWER:

5) Please state whether the Plaintiff, at any time during his employment by Shults Sales and Leasing, Inc., utilized Master Card, VISA and/or American Express cards issued to or guaranteed by Shults Sales and Leasing, Inc. If the answer is "yes", please state:

- (a) The identity of the issuer of any card(s) within the scope of this Interrogatory;

ANSWER:

- (b) The account numbers of any card(s) within the scope of this Interrogatory;

ANSWER:

- (c) Whether Plaintiff is in possession, custody and control of any records issued or provided by any of the credit card companies issuing any card(s) within the scope of this Interrogatory; and

ANSWER:

- (d) If the answer to (c), above, is "yes", whether Plaintiff will produce copies of the records and documents within the scope of this Interrogatory without the necessity of a formal motion. If the answer is "no", please explain why not.

ANSWER:

6) Please state whether the Plaintiff is in possession, custody and control of any correspondence, reports, records, memorandums or documents prepared by or for the business of Shults Sales and Leasing, Inc. or any other named Defendants. If the answer is "yes", please state:

- (a) Whether the Plaintiff will produce all documents within the scope of this Interrogatory without the necessity of a formation motion; if the answer is "no", please explain why not;

ANSWER:

- (b) If the records within the scope of this Interrogatory will not be produced, please provide a list of the documents, including the dates and identities of the individuals preparing each document Plaintiff will not produce.

ANSWER:

7) Please state whether the Plaintiff, prior to initiating the within action, ever made a claim for money damages against any party, company or insurance company, separate and apart from any litigation, made reference to above. If the answer is "yes", please state:

- (a) The dates when any claims were made by Plaintiff within the scope of this Interrogatory;

ANSWER:

- (b) The name of the parties against whom the claims were made;

ANSWER:

- (c) The names and identities of the parties in possession, custody and control of documents relating to these claims within the scope of this Interrogatory.

ANSWER:

8) Please state whether or not the Plaintiff will call any expert witness at the time of trial to testify with respect to any subject matter which relates to this claim. If the answer is "yes", please state:

(a) The names and addresses of any experts who will be called within the scope of this Interrogatory;

ANSWER:

(b) The subject matter of this expert testimony;

ANSWER:

(c) The substance and facts that will be rendered by any expert within the scope of this Interrogatory; and

ANSWER:

(d) The substance of any opinions to which the expert is expected to testify within the scope of this Interrogatory.

ANSWER:

Respectfully submitted,

CONNER RILEY & FRYLING

BY Andrew J. Conner  
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DATED: August 2, 2005.